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# A BILL FOR AN ACT

RELATING TO HOTELS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that tourism is a major  
2 contributor to the State's economy. Travelers come from around  
3 the globe to experience Hawaii's natural beauty, culture, and  
4 diversity.

5           The legislature further finds that travelers staying at  
6 hotels are vulnerable to disruptions to hotel services. They  
7 are often unfamiliar with local conditions and lack alternative  
8 accommodations during their stay. The legislature also finds  
9 that hotel guests are frequently unaware of pest infestations or  
10 work stoppages, strikes, or lockouts when they make reservations  
11 and may experience difficulty canceling their reservations upon  
12 arriving and discovering such disruptions.

13           The legislature additionally finds that it is important to  
14 ensure that hotel guests are notified of any service disruption  
15 or the possibility of a service disruption.



1           Therefore, the purpose of this Act is to require  
2 hotelkeepers to provide adequate notice of service disruptions  
3 to guests and third-party vendors under certain conditions.

4           SECTION 2. Chapter 486K, Hawaii Revised Statutes, is  
5 amended by adding a new section to be appropriately designated  
6 and to read as follows:

7           "§486K-           Disruption of service; notice to third-party  
8 vendors and guests required. (a) Within twenty-four hours of  
9 the onset of a service disruption or upon receiving notice that  
10 a service disruption may occur, a hotelkeeper shall provide, in  
11 all modifiable mediums where the hotel advertises or solicits  
12 customers, or through which customers can book or reserve rooms  
13 or hotel services, notice of the service disruption to each  
14 third-party vendor and guest who is seeking or has entered into  
15 a reservation, booking, or agreement with the keeper or a third-  
16 party vendor for the use or occupancy of a room or hotel  
17 service. The keeper shall provide notice before accepting or  
18 entering into any new reservation, booking, or agreement for the  
19 use of a room or hotel service; provided that if the  
20 circumstances of the service disruption make timely notice



1 impracticable, the keeper shall provide notice as soon as  
2 practicable.

3 (b) The notice shall describe:

4 (1) The nature of the service disruption; and

5 (2) The extent of the service disruption's effect on  
6 reservations, bookings, or agreements to use the room  
7 or hotel services.

8 (c) At the onset of a service disruption or upon receiving  
9 notice that a service disruption may occur, the keeper shall  
10 immediately and clearly notify all guests of the service  
11 disruption pursuant to subsections (a) and (b).

12 (d) As used in this section:

13 "Guest" includes a hotel service user.

14 "Hotel service" means work performed in connection with the  
15 operation of a hotel, including but not limited to the letting  
16 of guest rooms or meeting rooms, or the provision of food or  
17 beverage services, banquet services, or spa services.

18 "Service disruption" means any of the following conditions:

19 (1) Conditions that the hotelkeeper is aware of that  
20 indicate the presence in the hotel of any infestation  
21 by bed bugs, lice, or other insects or rodents or



1           other vermin capable of spreading disease or being  
2           carried, including on one's person; provided that the  
3           infestation has not been fully treated by a licensed  
4           exterminator within twenty-four hours of the  
5           identification of the infestation; or

6           (2) Any strike, lockout, or other work stoppage.

7           "Third-party vendor" means a vendor with which a  
8           hotelkeeper has an arrangement for third-party room reservations  
9           or any other entity that has reserved or entered into an  
10           agreement or booking for the use or occupancy of one or more  
11           rooms in a hotel in furtherance of the business of reselling the  
12           rooms to guests."

13           SECTION 3. This Act does not affect rights and duties that  
14           matured, penalties that were incurred, and proceedings that were  
15           begun before its effective date.

16           SECTION 4. This Act shall not be applied so as to impair  
17           any contract existing as of the effective date of this Act in a  
18           manner violative of either the Hawaii State Constitution or  
19           article I, section 10, of the United States Constitution.

20           SECTION 5. New statutory material is underscored.



**1** SECTION 6. This Act shall take effect on July 1, 2050.



**Report Title:**

Hotels; Hotel Services; Service Disruption; Third-Party Vendor;  
Guests; Notice

**Description:**

Requires hotelkeepers to provide adequate notice of service  
disruptions to guests and third-party vendors under certain  
conditions. Effective 7/1/2050. (HD1)

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not legislation or evidence of legislative intent.*

